



Mia Bearley/R8/USEPA/US

08/11/2009 11:10 AM

To "Patrick S. Malone" <pmalone@chapman.com>

cc Kerry Gee <kcgee@unitedpark.com>, Kevin Murray
<kmurray@chapman.com>, Maureen
O'Reilly/R8/USEPA/US@EPA, Kathryn

bcc

Subject Re: Request for Extension

Good morning! We have received your request, but per a couple of phone conversations I am of the understanding that you're going to kindly try to hammer this thru within the original time period. Thank you for working so hard on this and accommodating our request. If I'm incorrect and this request for an extension stands, please do let me know.

Thanks again for all of your help.

"Patrick S. Malone" <pmalone@chapman.com>



"Patrick S. Malone"

<pmalone@chapman.com>

07/28/2009 10:44 AM

To Mia Bearley/R8/USEPA/US@EPA

cc Kevin Murray <kmurray@chapman.com>, Kerry Gee
<kcgee@unitedpark.com>

Subject Request for Extension

Mia:

As we discussed, please find attached a request for an extension of time to respond. Hard copies will also be sent out today.

Regards,

Patrick S. Malone
Chapman and Cutler LLP
Salt Lake: (801) 320-6738
Chicago : (312) 499-5838

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July 28, 2009

Mia Bearley
USEPA ENF-L
1595 Wynkoop Street
Denver, CO 80202-1129

Dear Mia:

As we discussed, we have received a copy of your draft Administrative Order on Consent ("AOC") for the Lower Silver Creek site. Thank you for your efforts in preparing this draft. We will carefully review the draft and discuss its terms with our client, United Park City Mines Company ("United Park").

Due to United Park's on-going remediation efforts at Richardson Flat, the close out process in Empire Canyon, and various other remediation issues that are currently commanding United Park's attention during the remainder of this construction season, United Park is not certain that it will be able to provide a "good faith offer" within thirty (30) days as you requested. In addition, my client believes that certain factual information brought forward in the draft AOC is incorrect and has concerns with some of the technical information presented in the SOW. More time is needed to review and address these inconsistencies. We therefore respectfully request an additional thirty (30) days to respond. We note that this request is consistent with the sixty day enforcement moratorium outlined in EPA's October 19, 1987 "Interim Guidance on Notice Letters, Negotiations, and Information Exchange."

Law Offices of
CHAPMAN AND CUTLER LLP

Mia Bearley
July 28, 2009
Page 2 of 2

Please let us know at your earliest convenience if this extension is acceptable. We look forward to working with you on the Lower Silver Creek AOC and hope that we will be able to reach a mutually agreeable approach to this difficult site.

Very truly yours,

CHAPMAN AND CUTLER LLP

By 

Patrick S. Malone

PSM:ju

cc: K. Gee
M. O'Reilly
K. Hernandez